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UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

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PHOENIX FASHION, INC.	: Case No.: 1:23-cv-05788-LJL
	:
Plaintiff,	: [ECF CASE]
	:
- against -	: DEFAULT JUDGMENT
	:
SAADIA GROUP LLC; NEW YORK &	:
COMPANY STORES, INC.; FASHION TO	:
FIGURE ECOMM LLC; LORD & TAYLOR	:
ECOMM LLC; YAKOUB N SAADIA a/k/a	:
YAKOUB SAADIA a/k/a YAKAOUB SAADIA	:
a/k/a YAKOUB SAABIA a/k/a JACK SAADIA;	:
NY AND CO ECOMM LLC; LETOTE ECOMM	:
LLC; AQUATALIA ECOMM LLC; FASHION	:
TO FIGURE IP LLC; RTW RETAILWINDS	:
ACQUISITION LLC; LORD & TAYLOR	:
ACQUISITIONS LLC; LORD & TAYLOR IP	:
LLC; LETOTE IP LLC; AQUATALIA IP LLC;	:
501 JERSEY AVENUE LLC; BROOK	:
WAREHOUSING AND DISTRIBUTION LLC;	:
1735 JERSEY AVENUE PROPERTY LLC;	:

SAADIA DISTRIBUTION LLC; STONY :
BATTERY RD PROPERTY OWNER LLC; :
1000 STONEY BATTERY ROAD, LLC :
: :
Defendants. :
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WHEREAS this action was commenced on July 6, 2023 by the filing of the Summons and Complaint,

WHEREAS a First Amended Complaint was filed on June 13, 2024,

WHEREAS a copy of the summons and First Amended Complaint was duly served on defendant SAADIA GROUP LLC by Notice of Electronic Filing via CM/ECF on June 13, 2024,

WHEREAS a copy of the summons and First Amended Complaint was duly served on defendant NEW YORK & COMPANY STORES, INC. by Notice of Electronic Filing via CM/ECF on June 13, 2024,

WHEREAS a copy of the summons and First Amended Complaint was duly served on defendant FASHION TO FIGURE ECOMM LLC by Notice of Electronic Filing via CM/ECF on June 13, 2024,

WHEREAS a copy of the summons and First Amended Complaint was duly served on defendant LORD & TAYLOR ECOMM LLC by Notice of Electronic Filing via CM/ECF on June 13, 2024,

WHEREAS a copy of the summons and First Amended Complaint was duly served pursuant to F.R.Civ.P. 4(e)(2)(b)) on YAKOUB N SAADIA a/k/a YAKOUB SAADIA a/k/a YAKAUB SAADIA a/k/a YAKOUB SAABIA a/k/a JACK SAADIA by Notice of Electronic Filing via CM/ECF on June 13, 2024,

WHEREAS a copy of the summons and First Amended Complaint was duly served on defendant NY AND CO ECOMM LLC by personal service by Frank Pritchett of Brandywine Process Servers, LTD on July 8, 2024. Proof of service was filed with this Court on August 13, 2024 on the ECF System,

WHEREAS a copy of the summons and First Amended Complaint was duly served on defendant LETOTE ECOMM LLC by personal service by Frank Pritchett of Brandywine Process Servers, LTD on July 8, 2024. Proof of service was filed with this Court on August 13, 2024 on the ECF System,

WHEREAS a copy of the summons and First Amended Complaint was duly served on defendant AQUATALIA ECOMM LLC by personal service by process server Thomas Newton on July 15, 2024. Proof of service was filed with this Court on August 13, 2024 on the ECF System,

WHEREAS a copy of the summons and First Amended Complaint was duly served on defendant FASHION TO FIGURE IP LLC by personal service by Frank Pritchett of Brandywine Process Servers, LTD on July 8, 2024. Proof of service was filed with this Court on August 13, 2024 on the ECF System,

WHEREAS a copy of the summons and First Amended Complaint was duly served on defendant RTW RETAIL WINDS ACQUISITION LLC by personal service by Frank Pritchett of Brandywine Process Servers, LTD on July 8, 2024. Proof of service was filed with this Court on August 13, 2024 on the ECF System,

WHEREAS a copy of the summons and First Amended Complaint was duly served on defendant LORD & TAYLOR ACQUISITIONS LLC by personal service by Frank Pritchett of

Brandywine Process Servers, LTD on July 8, 2024. Proof of service was filed with this Court on August 13, 2024 on the ECF System,

WHEREAS a copy of the summons and First Amended Complaint was duly served on defendant LORD & TAYLOR IP LLC by personal service by Frank Pritchett of Brandywine Process Servers, LTD on July 8, 2024. Proof of service was filed with this Court on August 13, 2024 on the ECF System,

WHEREAS a copy of the summons and First Amended Complaint was duly served on defendant LETOTE IP LLC by personal service by Frank Pritchett of Brandywine Process Servers, LTD on July 8, 2024. Proof of service was filed with this Court on August 13, 2024 on the ECF System,

WHEREAS a copy of the summons and First Amended Complaint was duly served on defendant AQUATALIA IP LLC by personal service by process server Thomas Newton on July 15, 2024. Proof of service was filed with this Court on August 13, 2024 on the ECF System,

WHEREAS a copy of the summons and First Amended Complaint was duly served on defendant 501 JERSEY AVENUE LLC by personal service by Maximillian Hayden of Central Jersey Process Service LLC on July 23, 2024. Proof of service was filed with this Court on August 13, 2024 on the ECF System,

WHEREAS a copy of the summons and First Amended Complaint was duly served on defendant BROOK WAREHOUSING AND DISTRIBUTION LLC by Maximillian Hayden of Central Jersey Process Service LLC on July 12, 2024. Proof of service was filed with this Court on August 13, 2024 on the ECF System,

WHEREAS a copy of the summons and First Amended Complaint was duly served on defendant 1735 JERSEY AVENUE PROPERTY LLC by personal service by process server

Thomas Newton on July 18, 2024. Proof of service was filed with this Court on August 13, 2024 on the ECF System,

WHEREAS a copy of the summons and First Amended Complaint was duly served on defendant SAADIA DISTRIBUTION LLC by personal service by Kenneth Hopton of Central Jersey Process Service LLC on July 8, 2024. Proof of service was filed with this Court on August 13, 2024 on the ECF System,

WHEREAS a copy of the summons and First Amended Complaint was duly served on defendant STONY BATTERY RD PROPERTY OWNER LLC by Kenneth Hopton of Central Jersey Process Service LLC on July 8, 2024. Proof of service was filed with this Court on August 13, 2024 on the ECF System,

WHEREAS a copy of the summons and First Amended Complaint was duly served on defendant 1000 STONEY BATTERY ROAD LLC by personal service by Frank Pritchett of Brandywine Process Servers, LTD on July 8, 2024. Proof of service was filed with this Court on August 13, 2024 on the ECF System,

WHEREAS Defendants failed to answer the First Amended Complaint and clerk issued Certificates of Default, Dkt. Nos. 185–202,

WHEREAS Defendants Jack Saadia, New York & Co., Fashion to Figure Ecomm, and Lord & Taylor Ecomm (“Moving Defendants”) moved to set aside the certificates of default against them pursuant to Rule 55(c). Dkt. Nos. 210–216,

WHEREAS the Court ruled that the entry of default against the Moving Defendants would be vacated “on condition that those defendants post a bond in the amount of \$3,022,209 by September 27, 2024.” Dkt. No. 221 at 3,

WHEREAS no such bond was posted, and the Court granted Plaintiff's motion for a default judgment on October 15, 2024, pending Plaintiff's renewed motion for costs. Dkt. No. 223,

WHEREAS the Court granted Plaintiff's motion for costs and attorney's fees (Dkt. No. 224) and as more fully set out in the Court's Order dated November 19, 2024, Dkt. No. 231,

THEREFORE IT IS ORDERED, ADJUDGED AND DECREED: That the plaintiff have judgment against defendants e SAADIA GROUP LLC, NEW YORK & COMPANY STORES, INC., FASHION TO FIGURE ECOMM LLC, LORD & TAYLOR ECOMM LLC, NY AND CO ECOMM LLC, LETOTE ECOMM LLC, AQUATALIA ECOMM LLC, FASHION TO FIGURE IP LLC, RTW RETAILWINDS ACQUISITION LLC, LORD & TAYLOR ACQUISITIONS LLC, LORD & TAYLOR IP LLC, LETOTE IP LLC, AQUATALIA IP LLC, 501 JERSEY AVENUE LLC; BROOK WAREHOUSING AND DISTRIBUTION LLC, 1735 JERSEY AVENUE PROPERTY LLC, SAADIA DISTRIBUTION LLC, STONY BATTERY RD PROPERTY OWNER LLC, and 1000 STONEY BATTERY ROAD, LLC and YAKOUB N SAADIA a/k/a YAKOUB SAADIA a/k/a YAKAOUB SAADIA a/k/a YAKOUB SAABIA a/k/a JACK SAADIA jointly and severally, in the liquidated amount of \$4,346,289.99, plus interest at 9% from December 20, 2022 to November 27, 2024 amounting to \$758,755.06, plus attorney's fees and costs of \$188,494.93, amounting in all as of November 27, 2024 to \$5,293,539.98.

Dated: December 3, 2024
New York, New York



LEWIS J. LIMAN
United States District Judge

This document was entered on the docket
on _____.